

Article - Alcoholic Beverages

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§6–105.

(a) When a protest is filed, the circuit court for the county in which the property was seized shall conduct an in rem proceeding to determine whether the property is subject to forfeiture.

(b) (1) If the court determines that the property is subject to forfeiture, the court shall determine whether any lienholder filing a timely protest had knowledge of the intended unlawful use.

(2) If the court determines that a lienholder had knowledge, the lienholder's right, title, and interest to the property is forfeited.

(3) If the court does not determine that a lienholder had knowledge, but the property is otherwise subject to forfeiture:

(i) the property shall be forfeited; and

(ii) the Comptroller or the Executive Director of the Commission, as the Comptroller or Executive Director, as appropriate, considers in the best interest of the State, may:

1. pay the outstanding indebtedness secured by the lien and keep the property; or
2. deliver the property to the lienholder.

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